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May 3, 2024

Via ECF

Hon. Katharine H. Parker
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York NY 10007

Re: Cruz v. New York Transit Auth. et al.
24-cv-89(AT)(KHP)

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 05/06/2024**

MEMO ENDORSED

Dear Judge Parker:

This office represents defendant New York City Transit Authority (“Transit”) and the individually named defendants in this action alleging discrimination on the basis of religion and disability under Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act and state and local laws.

Defendants submit this letter to respectfully request that the court permit counsel to appear remotely, whether by video or by phone, at the initial conference scheduled for Tuesday, May 7, 2024. Although I had expected to be able to appear in person by now, my family member's continuing medical conditions and physical limitations remain a significant impediment to my being able to be physically present in court.

Alternatively, defendants request that the initial conference be adjourned. Defendants will be filing a Rule 12(b) motion to dismiss the case in whole or substantial part. The disposition of the motion will likely alter both the timing and substance of discovery in the case, or render discovery moot. Additionally, defendants have not had an opportunity to discuss with the pro se plaintiff her expectations concerning the scope of discovery and draft a case management plan.

Defendants thank the Court for its consideration of this request.

APPLICATION GRANTED: The Case Management Conference in this matter scheduled for Tuesday, May 7, 2023, at 3:00 p.m. is hereby converted to a telephonic conference. The parties are directed to call Judge Parker's AT&T conference line at the scheduled time. Please dial (866) 434-5269; access code 4858267.

The Plaintiff has been notified by chambers about the change to telephonic proceeding.

Respectfully submitted,

/s/
Renee L. Cyr

APPLICATION GRANTED

Katharine H. Parker

Hon. Katharine H. Parker, U.S.M.J.

05/06/2024